

R E M A R K S

Careful review and examination of the subject application are noted and appreciated.

SUPPORT FOR CLAIM AMENDMENTS

Support for the amendments to the claims can be found in the drawings as originally filed, for example, FIG. 35, and in the specification as originally filed, for example, on page 11, line 22 through page 13, line 35, and on page 30, line 5 through page 31, line 10. As such, no new matter has been introduced.

CLAIM REJECTIONS UNDER 35 U.S.C. §112

The rejection of claims 83-98 under 35 U.S.C. §112, first paragraph, as not being enabled has been obviated by amendment and should be withdrawn.

The rejection of claims 83-93 under 35 U.S.C. §112, second paragraph, as being indefinite has been obviated by amendment and should be withdrawn.

With respect to the rejection of claims 83-98 under 35 U.S.C. §112, first paragraph, the body of the claim is able to reach the result recited in the preamble. As such, the rejection under 35 U.S.C. §112, first paragraph with respect to the "enablement" requirement does not appear to be sustainable and should be withdrawn.

With respect to the rejection of claims 83-93 under 35 U.S.C. §112, second paragraph, the bodies of claims 83 and 90 would arrive at the result recited in the respective preambles. As such, the rejection of claims 83-89 under 35 U.S.C. §112, second paragraph, does not appear to be sustainable and should be withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

The rejection of claims 83-86 and 88-98 under 35 U.S.C. §102(e) as being anticipated by Lapointe et al. (U.S. Patent No. 6,678,669; hereinafter Lapointe) has been obviated by amendment and should be withdrawn.

Lapointe is directed to developing and training medical decision support systems. Patient data and tests are used to train and refine performance of the decision support system of Lapointe (see abstract of Lapointe).

In contrast, the present invention provides a method for generating groups of individuals useful in researching influence of a disease on the individuals, comprising (i) selecting individuals having a risk factor for a disease, (ii) providing to each individual a communications apparatus, (iii) presenting queries to each individual through the apparatus, (iv) receiving responses to the queries from the individual through the apparatus, (v) storing the responses of each individual, (vi) defining a plurality of

groups by categorizing the individuals having similar profiles based on the responses, where categorizing the individuals into groups includes one or more phenotypic classifications, (vii) after defining the groups, receiving genotype information for individuals in each of the groups, (viii) comparing the genotype information between the groups, and (ix) generating a report for presentation on a display that represents a subset of the genotype information associated with each of the groups, where differences in the genotype information between the groups is expressed in terms of phenotypic classifications. Claims 90 and 94 include similar limitations. Lapointe does not appear to disclose or suggest defining a plurality of groups by categorizing the individuals having similar profiles based on the responses, where categorizing the individuals into groups includes one or more phenotypic classifications, and generating a report for presentation on a display that represents a subset of the genotype information associated with each of the groups, where differences in the genotype information between the groups is expressed in terms of phenotypic classifications, as presently claimed. Furthermore, claims 83, 90 and 94 include subject matter similar to claim 87, which had no art based rejections (see pages 7-10 of the Office Action). As such, the presently claimed invention is fully patentable over the cited references and the rejection should be withdrawn.

Claims 84-89, 91-93 and 95-98 depend, directly or indirectly, from either claim 83, claim 90 or claim 94 which are believed to be allowable. As such, the presently claimed invention is fully patentable over the cited references and the rejection should be withdrawn.

New claims 99 and 100 include subject matter similar to claim 86 and depend, directly or indirectly, from either claim 90 or claim 94 which are believed to be allowable. As such, the presently claimed invention is fully patentable over the cited references.

Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicant's representative at 586-498-0670 should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge Deposit
Account No. 50-0541.

Respectfully submitted,

CHRISTOPHER P. MAIORANA, P.C.

Christopher P. Maiorana
Registration No. 42,829

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c/o Sandeep Jaggi
Health Hero Network

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